

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 Bryan Dryden,
5 Petitioner

6 v.

7 James Dzurenda, et al.,
8 Respondents
9

2:17-cv-00704-JAD-NJK

Order Extending Time

[ECF No. 11]

10 Counseled petitioner Bryan Dryden moves—for the second time—for a time extension to
11 file an amended petition for a writ of habeas corpus.¹ The Federal Public Defender was
12 appointed to represent Dryden in this habeas matter on August 22, 2017,² and counsel appeared
13 on his behalf one month later.³ The original deadline to file an amended habeas petition was
14 November 21, 2017, but Dryden’s counsel represented that he was inundated with over 30 newly
15 assigned habeas cases, drafting two opening briefs to the Ninth Circuit Court of Appeals,
16 preparing for a lengthy evidentiary hearing, as well as “numerous other cases.”⁴ So, he requested
17 90 more days to file an amended petition, extending the deadline to February 19, 2018.⁵ The
18 government did not object to the extension, so I granted it.⁶

19 Dryden now requests 90 more days to file an amended petition, reiterating many of the
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22 ¹ ECF No. 11.

23 ² ECF No. 4.

24 ³ ECF No. 7.

25 ⁴ ECF No. 8 at 2–3.


26 ⁵ *Id.* at 2.

27 ⁶ ECF No. 9.

1 same justifications as in the first request.⁷ Counsel also represents that the entire Federal Public
2 Defender's office was physically relocating to a new office space for five days in January, and
3 during that time "most of the attorneys and staff were out of the office and with limited or no
4 computer access during that time."⁸ The government, once again, does not oppose the extension,
5 and I find that the request is made in good faith and not solely for the purpose of delay.

6 Accordingly, good cause appearing, IT IS HEREBY ORDERED that Dryden's motion for
7 an extension of time (second request) [ECF No. 11] is **GRANTED. Dryden has until May 21,**
8 **2018, to file a first-amended petition for a writ of habeas corpus.** Counsel is cautioned,
9 though, that his heavy case load is unlikely to warrant a third extension.

10 DATED: February 21, 2018.

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12 U.S. District Judge Jennifer A. Dorsey
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27 ⁷ ECF No. 11.

28 ⁸ *Id.* at 2.